

Serial No.: 08/873,601
Filed: June 12, 1997

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Please add the following new claim:

43. (New) A cell containing a composition comprising:
- (a) an exogeneous scaffold comprising at least a first binding site and a second binding site; and
 - (b) at least a first and a second enzyme, wherein at least one of said enzymes is heterologous to said cell;
- wherein said first enzyme is bound to said first binding site and said second enzyme is bound to said second binding site.

REMARKS

Claims 1-8, 27, 28, 31, 32, 34, and 39 are pending for examination on the merits. The Examiner argues that Applicants' Response of February 7, 2000 to the Official Action dated August 16, 1999 is not fully responsive. More specifically, the Examiner argues that the amendments to the claims made by Applicants in their Response, render the claimed invention distinct or independent from the elected and examined invention. The Examiner, therefore, placed the currently pending claims in a new group, Group V. The Applicants respectfully traverse, and in the alternative elect to prosecute newly added Claim 43, which is an identical copy of originally filed Claim 1.

Applicants elected the claims of Group I, which the Examiner classified under Class 435, subclass 325+:

ANIMAL CELL, PER SE (E.G., CELL LINES, ETC.);
COMPOSITION THEREOF; PROCESS OF PROPAGATING,
MAINTAINING OR PRESERVING AN ANIMAL CELL OR
COMPOSITION THEREOF; PROCESS OF ISOLATING OR
SEPARATING AN ANIMAL CELL OR COMPOSITION
THEREOF; PROCESS OF PREPARING A COMPOSITION
CONTAINING AN ANIMAL CELL; CULTURE MEDIA
THEREFORE.

Applicants respectfully submit that the currently pending claims are properly classified under Class 435, subclass 325+. Therefore, the search for the currently pending claims and that for elected Group I is co-extensive.

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The applicants respectfully draw the Examiner's attention to M.P.E.P. §803:

If the search and examination of an entire application can be made without serious burden, the examiner must examine it on the merits, even though it includes claims to distinct or independent inventions.

Presuming, without admitting, that two separate and distinct inventions have been claimed, Applicants submit that the search for Group I necessarily includes a search for Group V, given that the classification for both groups is the same. Thus, no additional burden is placed upon the Examiner to examine both Groups I and V as the search for one is co-extensive with the other. Accordingly, Applicants respectfully request the Examiner to remove the restriction requirement of currently pending Claims 1-8, 27, 28, 31, 32, 34, and 39, and examine the claims on the merits.

Applicants respectfully submit that the claims are now in condition for allowance and early notification to that effect is respectfully requested. If the Examiner feels there are further unresolved issues, the Examiner is respectfully requested to phone the undersigned at (415) 781-1989.

Respectfully submitted,

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